

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

|                                     |   |                              |
|-------------------------------------|---|------------------------------|
| DAMION G.V. DAVIS,                  | ) | CIVIL ACTION NO. 4:24-CV-421 |
| Petitioner                          | ) |                              |
|                                     | ) |                              |
| v.                                  | ) |                              |
|                                     | ) | (ARBUCKLE, M.J.)             |
| MERRICK B. GARLAND, <i>et al.</i> , | ) |                              |
| Respondents                         | ) |                              |
|                                     | ) |                              |

**ORDER**

In accordance with the accompanying memorandum issued this same day, it is ORDERED that:

- (1) The Clerk of Court is directed to TRANSFER this case to the United States District Court for the Western District of New York, as venue does not lie in the Middle District of Pennsylvania. *See* 28 U.S.C. § 1406(a).
- (2) The Clerk of Court is directed to CLOSE this case.
- (3) Petitioner's motion to appoint counsel and application for leave to proceed *in forma pauperis* will be left to the transferee court.

Date: March 14, 2024

BY THE COURT

*s/William I. Arbuckle*  
William I. Arbuckle  
U.S. Magistrate Judge